

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG**

MARGARET VIOLET JENKINS WILLIAMS,

Plaintiffs,

v.

**CIVIL ACTION NO.: 3:07-CV-152
(JUDGE BAILEY)**

UNITED STATES OF AMERICA,

Defendant.

ORDER

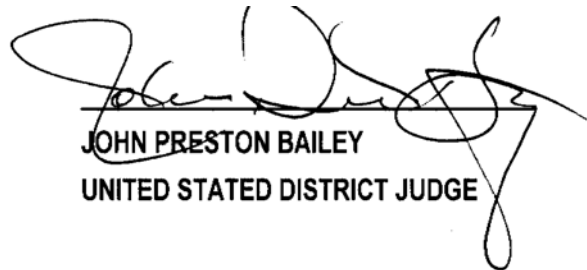
This matter is now before the Court for consideration of the petitioner's Motion for Extension of Time in Filing a Response to Report and Recommendation [Doc. No. 14] filed on January 22, 2008. Plaintiff seeks to extend the time period in which she may file her objections to the Report and Recommendations of Magistrate Judge John S. Kaull [Doc. No. 10], wherein Magistrate Judge Kaull recommended that the petitioner's Emergency Petition for a Writ of Mandamus be denied and the case be dismissed with prejudice.

After careful review of petitioner's Motion for Extension of Time [Doc. No. 14], the Court does not find good cause to grant the Motion. The Return Receipt [Doc. No. 12] shows that service of the Report and Recommendations [Doc. No. 10] was accepted on December 18, 2007. The petitioner's Motion for Extension of Time [Doc. No. 14] was postmarked on January 18, 2008, which is well after the 10-day time period in which Objections to the Report and Recommendations may be filed. Accordingly, the **Motion for Extension of Time [Doc. No. 14] is DENIED as UNTIMELY.**

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this Order to the petitioner and counsel of record herein.

DATED: January 30, 2008.



JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE